

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

DEWAYNE CORNELIUS SMITH

PETITIONER

VS.

CIVIL ACTION NO. 2:06-cv-191 (DCB) (MTP)
Criminal No. 2:04-cr-23 (DCB) (JMR)

UNITED STATES OF AMERICA

RESPONDENT

ORDER

This cause is before the Court sua sponte, pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, and having reviewed the plaintiff's Motion to Vacate Under 28 U.S.C. § 2255, the Court finds that a response to the motion by the government is required. Accordingly,

IT IS HEREBY ORDERED that the United States Attorney shall file an answer to the plaintiff's motion under 28 U.S.C. § 2255 to vacate, set aside or correct his sentence in criminal action no. 2:04-cr-191 (DCB) (JMR), within thirty (30) days from the date of entry of this Order.

SO ORDERED, this the 14th day of November, 2007.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE